



#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : Fazal Syed Raheman
Serial No.: 09/542,392
Filing Date: April 4, 2000
Group Art Unit: 2173
Attorney Docket No.: 067695.0105
Examiner: Raymond J. Bayerl
Title :

RECEIVED

MAY 17 2004

OFFICE OF PETITIONS

METHOD AND SYSTEM OF CREATING FLOATING
WINDOWS FOR DISPLAYING SPONSOR
INFORMATION, MESSAGES OR PROGRAMS IN
NON-OBTRUSIVE AREAS OF THE GRAPHIC USER
INTERFACE OF A SOFTWARE APPLICATION

Petition To Revive Abandoned Application Pursuant to 37 C.F.R. §1.137(a)

HONORABLE ASSISTANT COMMISSIONER
FOR PATENTS
Washington, DC 20231

I hereby certify that this correspondence
is delivered to the Assistant
Commissioner of Patents, Washington
DC 20231, by depositing with FedEx on
the date shown below and bears the
tracking no. 8258 2492 5273

Fazal Raheman

May 12, 04

Date of Signature

Sir,

The applicant petitions for revival of his abandoned application of above caption. As reasons therefore, he respectfully submits that the applicant reviewed a copy of the office action with complete attorney records for the first time on May 3, 2004. On account of the unfortunate circumstances (Exhibit C) affirmed under oath (see Exhibit A) neither status of the application nor the nature of the office action were accessible to him any time during the due date for the reply. Constrained by the circumstances the

applicant tried everything within his means including voluntary help from a friend and associate (Exhibit B) to pursue the prosecution of his pending application.

For the aforementioned reasons “[t]he entire delay in filing the required reply from the due date for the reply - - was unavoidable”, and therefore qualifies for a revival relief pursuant to 37 C.F.R. §1.137(a). As required under subsection (1) of 37 C.F.R. §1.137(a), the instant petition is accompanied by the required reply to the Office Action, and the petition fee as set forth in subsection (2) read with 37 CFR §1.17(1). Accordingly the applicant respectfully prays for allowing the instant petition for revival of the abandoned patent application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Fazal Raheman', with a long horizontal stroke extending to the right.

Fazal Raheman
C/o Don Mossman
30 Liberty Hill Dr
Blackstone, MA 01504
(508) 883 4722



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : Fazai Syed Raheman
Serial No.: 09/542,392
Filing Date: April 4, 2000
Group Art Unit: 2173
Attorney Docket No.: 067695.0105
Examiner: Raymond J. Bayerl
Title : METHOD AND SYSTEM OF CREATING FLOATING WINDOWS
FOR DISPLAYING SPONSOR INFORMATION, MESSAGES OR
PROGRAMS IN NON-OBTRUSIVE AREAS OF THE GRAPHIC
USER INTERFACE OF A SOFTWARE APPLICATION

RECEIVED

MAY 17 2004

OFFICE OF PETITIONS

AFFIDAVIT OF APPLICANT IN SUPPORT OF HIS PETITION TO REVIVE

I, Fazal Raheman, the applicant in above cause hereby affirm the following under pains and penalty of perjury:

1. I am the sole inventor of the above captioned invention, which is one of the two patent applications pertaining to the same subject matter. Both applications were first filed Pro Se as provisional applications in 1999, and subsequently since June 2000, prosecuted as non-provisional applications by law firm of Baker Botts LLP, 2001 Ross Avenue, Dallas, TX 75201-2980
2. Since July 9, 2001, I was incarcerated and remained in Bureau Of Prisons custody until I took up the present residence on April 16, 2004. On account of my incarceration my overseas company went out of business leaving no contact for Baker Botts to follow up.
3. Sometime in December 2003 I requested Mr Don Mossman who visited me in prison to check the status of my pending applications with Baker Botts. Mr Mossman had my power of attorney to make legal inquiries on my behalf. While still incarcerated sometime in January 2004, Mr Mossman informed me that both applications are facing abandonment for non-prosecution as Baker Botts had no way to contact me and would not act until retainer is authorized. I requested Mr Mossman to obtain a copy of the entire file from Baker Botts on my behalf so that I can pursue the patents Pro Se. The prosecuting attorney at Baker Botts released the complete file to Mr Mossman sometime in February 2004. On February 18, 2001, I was transferred to BOP's CCF facility in Boston and finally released on April 16, 1994. On or about May 3, 2004, I received a complete set of paperwork pertaining to the said patent applications from Mr Mossman. Under the circumstances beyond my control, there was no conceivable way I could have responded to the Office Action at any time prior to today.

Signed under the pains and penalty of perjury on this the 12th day of May 2004.

On this day 11th of May 2004 before me
Personally appeared Fazal Raheman personally
Appointed with identification of US Dept. of Justice
identification to be the person whose name
is signed on this documentation in my presence.

Fazal Raheman

Barbara J. Jones
expire: July 5, 2009

EXHIBIT A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of : Fazai Syed Raheman
Serial No.: 09/542,392
Filing Date: April 4, 2000
Group Art Unit: 2173
Attorney Docket No.: 067695.0105
Examiner: Raymond J. Bayerl
Title : METHOD AND SYSTEM OF CREATING FLOATING

RECEIVED

MAY 17 2004

OFFICE OF PETITIONS

WINDOWS FOR DISPLAYING SPONSOR INFORMATION,
MESSAGES OR PROGRAMS IN NON-OBTRUSIVE AREAS
OF THE GRAPHIC USER INTERFACE OF A SOFTWARE
APPLICATION

AFFIDAVIT OF DONALD MOSSMAN

I, Donald Mossman, resident of 30 Liberty Hill Dr, Blackstone, MA 01504, affirm that the following is true to the best of my knowledge and belief.

1. The applicant in the above captioned matter is a friend and associate known to me since 1992. During his incarceration I visited him as his friend and well-wisher, at the federal prison facility in Ayer, Massachusetts. Sometime in December 2003 he requested me to contact his patent attorney at Baker Botts in Dallas, Texas. He executed a power of attorney authorizing me to receive legal documents on his behalf. I contacted Attorney Terry Stalford at Baker Botts, who informed me about the status of his pending patents, which I communicated to the applicant. On learning that his patent applications are facing abandonment, the applicant requested me to ask Baker Botts to provide a copy of the papers including the Office Action.
2. Sometime in February 2004 I received the relevant papers from Baker Botts. As applicant did not have a settled mailing address at the time I retained the papers with me until I delivered the complete file to him on May 3, 2004.

Signed under the pains and penalty of perjury on this the 12th day of May 2004.

On this day 11th May 2004 before me personally appeared Donald Mossman with identification of Massachusetts license to be the person whose name is signed on this documentation in my presence.


Donald Mossman

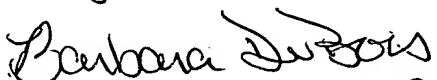

Expires: July 5, 2009

EXHIBIT B

Federal Bureau of Prisons Inmate Locator	
Search By:	Search By:
Identification Number	First and Last Name
faq's	how to help

Search Criteria:

Register Number: 46236-008

Inmate Information for FAZAL UR RAHEMAN-FAZAL	
Inmate Register Number :	46236-008
Name :	FAZAL UR RAHEMAN-FAZAL
Age :	47
Race :	ASIAN
Sex :	MALE
Date Released :	4/16/04

Americans with Disabilities Act (ADA)Text Links:
[Identification Number Search](#) | [First and Last Name Search](#)
[Frequently Asked Questions](#) | [Privacy Notice](#)

EXHIBIT C